

# House Amendment 8188

PAG LIN

1 1 Amend House File 2610 as follows:  
1 2 #1. Page 5, by inserting after line 12 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. NEW SECTION. 422.72A SUSPECTED MISUSE  
1 5 OF PERSONAL INFORMATION == NOTICE REQUIRED.  
1 6 1. For the purposes of this section, the following  
1 7 definitions apply:  
1 8 a. "Affected individual" means an individual who  
1 9 is identified by or connected with personal  
1 10 information contained in the department's records.  
1 11 b. "Personal information" means all of the  
1 12 following:  
1 13 (1) Social security number.  
1 14 (2) Tax identification number.  
1 15 (3) Driver's license number or other unique  
1 16 identification number created or collected by a  
1 17 government body.  
1 18 (4) Financial account number, credit card number,  
1 19 or debit card number in combination with any required  
1 20 security code, access code, or password that would  
1 21 permit access to an individual's financial account.  
1 22 (5) Unique electronic identifier or routing code,  
1 23 in combination with any required security code, access  
1 24 code, or password.  
1 25 c. "Suspected misuse of personal information"  
1 26 means circumstances exist which would cause a  
1 27 reasonable person to believe that an individual's  
1 28 personal information is being used by an unauthorized  
1 29 individual. Such circumstances include but are not  
1 30 limited to either of the following:  
1 31 (1) A tax identification number under which wages  
1 32 are being reported by two or more individuals.  
1 33 (2) A tax identification number of an individual  
1 34 under the age of sixteen with reported wages exceeding  
1 35 one thousand dollars for a single quarterly period.  
1 36 2. a. Unless otherwise prohibited by state or  
1 37 federal law, the department shall provide notice to  
1 38 each affected individual if department records  
1 39 indicate a suspected misuse of personal information.  
1 40 Notice shall be made without unreasonable delay. If  
1 41 the affected individual is a minor, notice shall be  
1 42 provided to the minor's parent or guardian.  
1 43 b. Notice of the suspected misuse of personal  
1 44 information shall also be provided to an appropriate  
1 45 law enforcement agency.  
1 46 3. Notice provided to an affected individual shall  
1 47 be clear and conspicuous and be provided by at least  
1 48 one of the following:  
1 49 a. Written notice to the affected individual's  
1 50 last address of record.  
2 1 b. Electronic mail notice, if the affected  
2 2 individual has agreed to receive communications  
2 3 electronically.  
2 4 c. Telephonic notice, if the communication is made  
2 5 directly with the affected individual.>  
2 6 #2. Title page, line 1, by inserting after the  
2 7 word <to> the following: <identity determination and  
2 8 protection and>.  
2 9 #3. Title page, line 3, by inserting after the  
2 10 word <individuals,> the following: <and requiring the  
2 11 department of revenue to provide notice of suspected  
2 12 misuse of personal information,>.  
2 13 #4. By renumbering as necessary.  
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2 17 SANDS of Louisa  
2 18 HF 2610.703 82  
2 19 ak/rj/11215